

sector 18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John R. Plate et al.

Serial No.: 09/335,377

Group Art Unit: 3611

Filed: June 17, 1999

Examiner: Not Yet Assigned

For: FORKLIFT STABILIZING
APPARATUS



Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Response to Notice To File Missing Parts of Application;
2. Copy of Notice To File Missing Parts of Application;
3. Reissue Declaration and Power of Attorney;
4. Consent of Assignee
5. Offer to Surrender
6. Statement Under 37 CFR 3.37(b) and copy of recorded Assignment
7. Petition for One Month Extension of Time
8. Check in the amount of. \$240.00.

Our check in the amount of \$240.00 is enclosed covering any required fees. In the event that any variance exists between the amount enclosed and the Patent and Trademark Office charges, please charge or credit the difference to our Deposit Account No. 04-1073. A duplicate copy of this letter is enclosed for that purpose.

Dated: October 19, 1999

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082
DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 785-9700

Attorneys for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John R. Plate et al.



Serial No : 09/335,377
Filed : June 17, 1999
For : FORKLIFT STABILIZING APPARATUS
Group Art Unit: 3611
Examiner : Not Yet Assigned

Assistant commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date
Granted mailed July 19, 1999, Applicant submits a Reissue Declaration and Power of
Attorney, properly signed and dated, in compliance with 37 C.F.R. § 1.63. In addition,
a copy of the Notice to File Missing Parts of Application – Filing Date Granted, Form
PTO-1553; Consent of Assignee, Offer to Surrender and a Statement Under 37 CFR
3.37(b) with recorded Assignment are enclosed.

A check in the amount of \$130.00 for missing parts of application is attached herewith for the fees associated with this filing. The Commissioner is also authorized to charge any additional fees or credit any overpayment to Deposit Account No. 04-1073.

Dated: October 19, 1999

Respectfully submitted,

By: 

Mark J. Thronson

Registration No. 33,082

DICKSTEIN SHAPIRO MORIN

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2101 L Street, N.W.

Washington, D.C. 20037-1526

202-785-9700

Attorneys for Applicants

#5



PATENT

Docket No.: O2900.004/P043-D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
John R. Plate et al.

Serial No.: Not Yet Assigned

Filed: Concurrently Herewith

For: FORKLIFT STABILIZING
APPARATUS

U.S. Patent No.: 5,639,119

Granted: June 17, 1997

Assistant Commissioner for Patents
Washington, D.C. 20231

OFFER TO SURRENDER

Dear Sir:

The undersigned Applicants of the accompanying reissue application, based on U.S. Patent 5,639,119, of which Trak International, Inc., is sole owner by assignment and on whose behalf and with whose consent the accompanying application is made, hereby offer to surrender said U.S. Patent 5,639,119.

Date: X SEPT. 15 '99

By X John R. Plate
John R. Plate

Date: X SEPT 15, 1999

By X J. Scott Bargerquist
J. Scott Bargerquist

Date: X SEPT. 15, 1999

By X Terry A. Weber
Terry A. Weber

02900.0004/p043-01
#3
Sept 19, 1999 Cox
Jan 19, 2000 (4K)
P/T
7/22/99
W/C
July 26/99



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

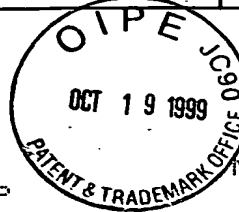
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/335,377 06/17/99 PLATE

02900.00004/p043-D

0242/0719

DONALD A GREGORY ESQ
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
2101 L STREET N W 4TH FLOOR
WASHINGTON DC 20037



NOT ASSIGNED

3611

DATE MAILED:

07/19/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition, accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☐ non-small entity is \$ 130

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.77(b), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202